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OIP TRANSMITTAL FORM APR 22 2002 PATENT & TRADEMARK OFFICE	Application Number	10/017,327
	Filing Date	December 6, 2001
	First Named Inventor	Charles A. NICOLETTE
	Group Art Unit	1645
	Examiner Name	Not Yet Assigned
Total Number Of Pages In This Submission	5	Attorney Docket No. GZ 2101.20

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ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
3 References, return postcard |
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| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement w/Form PTO-1449 | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Antoinette F. Konski McCutchen Doyle Brown & Enersen LLP Three Embarcadero Center, Suite 1800 San Francisco, California 94111-4067
Signature	<i>Antoinette Konski</i>
Date	April 11, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 11, 2002

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Appl. No. 10/017,327

Charles A. NICOLETTE

Group Art Unit: 1645

(use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

[illegible]

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



COPY OF PAPERS
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Docket No. GZ 2101.20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 24 2002

Applicant: Charles A. Nicolette

Filing Date: December 6, 2001

Examiner: Not Yet Assigned

Serial No.: 10/017,327

Group Art Unit: 1645

Title: COMPOUNDS FOR THERAPY AND DIAGNOSIS AND METHODS FOR USING
SAME

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☒ Copies of the items listed in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/870,216 filed May 30, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign

patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☒ Applicants bring to the Office's attention the following related, co-pending application(s): U.S. Serial No.: 09/870,216, filed May 30, 2001 and PCT Application Nos. PCT/US01/47997 and PCT/US01/17456, filed December 5, 2001 and May 30, 2001, respectively.

V. Conclusion:


Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-1189 billing reference number: 19442-7247 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: April 11, 2002

Respectfully submitted,

By: 
Antoinette F. Konski
Registration No.: 34,202

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4950
Telefax: (650) 849-4800